



City of Annapolis

Department of Planning & Zoning

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Historic Preservation Commission

July 24, 2014

The Historic Preservation Commission (HPC) of the City of Annapolis held its regularly scheduled public meeting on July 24, 2014 in the City Council Chambers. **Vice Chair** Leahy called the meeting to order at 7:32pm.

Commissioners Present: **Vice Chair** Leahy, Kabriel, Finch, Phillips, Toews, Zeno

Commissioners Absent: **Chair** Kennedy

Staff Present: Craig-Historic Preservation Officer, K. Ruff-Attorney

Vice Chair Leahy introduced the commissioners and staff. He stated the Commission's purpose pursuant to the authority of the Land Use articles and administered the oath en mass to all persons intending to testify at the hearing.

C. APPROVAL OF MINUTES

April 8, April 24, May 13, and May 22, 2014

Ms. Phillips moved approval of the April 8, April 24, May 13, and May 22, 2014 meeting minutes as written. Ms. Zeno seconded the motion. The motion passed unanimously in a vote 6-0.

D. ANNOUNCEMENTS

Ms. Craig reported that for those members who were unable to attend the National Preservation Alliance forum that there were some very helpful discussions regarding code and others issues that the HPC deals with on a consistent basis. She hopes to be able to discuss and explore some of the issues that were raised at the forum at the September meeting. **Vice Chair** Leahy concurred with her comments.

E. NEW BUSINESS

1. 150 South Street – Tenner Family Limited Partnership/Carl J. Tenner – Reconsideration of denial for window replacement under assertion of Economic Hardship.

Vice Chair Leahy informed the applicant that Ms. Zeno will be sitting on the application despite not being present at the original presentation because she has read the documentation and listened to the transcripts. Ms. Zeno confirmed that she had read the documentation and listened to the transcripts.

Mr. Carl Tenner clarified that 150 South Street was classified by the HPC to be a nonconforming structure and was constructed in 1947. He explained that testimony was provided that many of the 1947 metal windows would not open or close having deteriorated over their 60-year life span. These windows were proposed for replacement with energy efficient windows therefore reducing the heating/air conditioning costs. He noted that testimony was that only the windows on the front façade of the building and several windows on the north side were visible from the public way. These non-front facing windows would not impair the surrounding properties. He noted that the 2011, 2012, and 2013 income taxes for the partnership were provided to HPC for review. As of 2014, of the 17 offices there are eight vacancies for an excess of 41% vacancies making approximately 60% of the building rented. He has satisfied the State Taxation and Assessment requirements to receive reduction in its assessment and the present assessment of the improvements to the building is \$278,900. He provided the HPC with a diagram denoting the placement of the 53 window openings and the costs of

replacement. He noted that the costs would exceed \$145,500 if all the windows were to be replaced. He has offered to replace the windows on the front façade facing South Street and several on the north side. Those 19 window openings would cost over \$55,000.

After a brief deliberation, Ms. Zeno moved to accept that there is a complete application to move 150 South Street forward to determine if there is evidence of financial hardship. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.

Mr. A.J. Eckard of Coldwell Banker provided background on his employment and has dealt with commercial real estate for the past 6 years. He has been working with Mr. Tenner for the past three years on this project. He discussed the current marketing for commercial real estate in Annapolis explaining that there is an 11.6% vacancy rate just in offices and it takes about 18 months to rent office space so it is a pretty stagnate market.

Staff: Ms. Craig restated her written staff report of July 24, 2014 and finds that there is sufficient evidence to warrant reconsideration under the criteria of economic hardship and would encourage the HPC to allow for replacement of the wood windows for that portion of the building that is visible from the public way. The applicant should only use vinyl windows for that portion of the building that is not visible from the public way.

Mr. Tom Fidler, Executive Vice President and Principal of Mackenzie Commercial Real Estate Services, briefly discussed his findings of fact regarding the current trends of the market for commercial real estate. He noted that the past financial performance of the asset is well below market acceptance levels.

Public: Public testimony opened at 8:21pm and no one from the public spoke in favor or in opposition of the application so **Vice Chair** Leahy declared the public hearing closed at 8:22pm.

Commissioners: **Vice Chair** Leahy clarified that the HPC will be voting on the applicant's assertion of economic hardship. Ms. Zeno believes that the application has satisfied the economic hardship criteria so the HPC should reconsider the application. Ms. Phillips believes that the applicant has demonstrated economic hardship in terms of the ability to rent the property and the ability to pull in a steady stream of income.

Ms. Phillips moved to approve the application for economic hardship reconsideration for 150 South Street. Mr. Kabriel seconded the motion. The motion passed unanimously in a vote of 6-0.

Vice Chair Leahy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
Z	Handwritten cost calculations dated as received 7/10/14
AA	Window Plan dated as received 7/10/14
BB	Metal Window Sketches dated as received 7/10/14
CC	Metal Window Quote from Shenandoah Sash & Door dated 6/18/14
DD	Form 1065 for 2013 for Tenner Family Limited Partnership
EE	Form 8825 for 2013 for Tenner Family Limited Partnership
FF	Form 1065 for 2011 for Tenner Family Limited Partnership
GG	Form 8825 for 2011 for Tenner Family Limited Partnership
HH	SDAT dated as of 7/1/14
II	Advertisement for Leasing submitted 7/21/14
JJ	Staff Report and Recommendation dated 7/24/14
KK	T. Fidler email regarding CRE Professional Evaluation to include Fidler Bio dated 7/24/14

- 2. 213 Hanover Street** – Quale & Company/Hal Quale – Replace existing rear deck with new IPE deck and new step configuration. Install raised planting beds.

Mr. Quale had nothing more to add to that submitted but reiterated the need to make improvements while trying to stay within the guidelines.

Staff: Ms. Craig restated her written staff report and recommended approval of the application as submitted as it is consistent with the guideline requirements.

Public: Public testimony opened at 8:49pm and no one from the public spoke in favor or in opposition of the application so **Vice Chair** Leahy declared the public hearing closed at 8:50pm.

Commissioners: The HPC deliberated on the application.

Ms. Phillips noted that whereas the application for 213 Hanover Street complies with HPC guidelines B.1, B.2, B.6, C.1, D.1, D.24 and D.28b, moved to approve the application as submitted. Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 6-0.

The following Commissioners made a site visit on this application.

Name
Zeno, Toews

Vice Chair Leahy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	HPC Application time date stamped 7/1/14 3:58pm
B	Staff Report and Recommendation dated 7/24/14

F. PRE APPLICATION

Vice Chair Leahy reminded those present that this is an informal discussion and held as a courtesy to the applicants to determine feasibility as well as to address any other issues of concern that may arise at the hearing. This review does not constitute an approval and nothing discussed in this session will be binding on the commissioners or applicants.

1. **122 Market Street** – Lorie Green Webb – Proposed Fence.

Ms. Webb described the proposal to replace one of the fences on the property with a board on board with dimensions of 87' x 6' in height with pressured treated wood materials. She explained that the benefits of board on board are the gaps that would allow for air flow through the fence and the appearance to surrounding neighbors. She noted that the next door neighbor had built one similar to this proposal.

Ms. Zeno noted that according to the guidelines, the HPC does not approve board on board fences so would like to see the previous application as well as the minutes to determine if there were extenuating circumstances that constituted the approval. The HPC asked the applicant to include these items along with the application submittal.

2. **Main Street** – City of Annapolis/Department of Public Works – Rebricking of Main Street. **(Withdrawn)**

3. **131 Charles Street** – Carol Safir – Roof Replacement.

Ms. Safir explained that there was an emergency leak in the 15-year old roof that has been causing damage to the other rehabilitation work completed on the interior of 131 Charles Street. She noted that Ms. Craig has indicated that she could approve an in-kind roof repair administratively however the current roof material is cedar shake. Ms. Safir said the squirrels are removing the decorative soffit and cedar shingles. Because of the squirrel issue, she would prefer not to replace the roof with cedar shake so would like to use another material that would deter the squirrels. She needs to replace the roof on the front part of the house and would like to use a substitute synthetic material.

Vice Chair Leahy summarized that it is **not feasible** to use any synthetic material and the preferred material would be cedar so that the applicant should explore other roofing material options. Ms. Craig agreed to send out some inquiries to determine if there are other options and will notify the applicants if she receives any.

4. 108 Main Street – Jay Schwarz/Alt Breeding Schwarz Architects – Roof Replacement.

Mr. Schwarz explained that the owners have owned the house for more than 20 years and have experienced numerous water as well as roof problems. The owners have received a number of opinions on the best approach for repairing this tin roof. The applicant has explored the value of a metal roof. The scope of the overall project is refurbishment of all windows and upgrading the HVAC so the roof has to be addressed prior to this rehabilitation work. This application will address only the roof and the applicant is proposing a single ply rubber type roofing material.

Vice Chair Leahy summarized that 108 Main Street is a **feasible** project especially in regards to HPC guideline D.10.

5. 47 Dean Street – David & Kelly Darrell – Roof Replacement.

Mr. Darrell described the proposal to replace the existing 60-year standing seam metal roof using the pre-fabricated roofing material Galvalume. The HPC would like to get some feedback on the proposed material.

Vice Chair Leahy summarized that with modification this project could be **feasible**.

6. 12 Revell Street – Sue Boyd – Small rear addition/bump out.

Ms. Boyd described the proposal to add to the kitchen with a small rear addition. She pointed out the neighbor who will be most impacted using a photograph of the property. She noted that the proposed work will require a variance that she will be pursuing.

Vice Chair Leahy summarized that if the applicant is able to obtain the variance then the project will be **feasible**.

7. 67 College Avenue – Greg Lauer – Exterior modifications.

Mr. Lauer provided photographs of the existing conditions and noted that one of the catalysts for the project is to repair some of the faulty brick work. He described the proposal to create a more substantial look to the porch by redoing the vertical brick and waterproofing the interior of the flower bed as well as raising it up to deter the skateboarders. He proposed to use mahogany trim for the material. Ms. Craig suggested simplifying the brackets and eliminating the shutters where they are not feasible.

Vice Chair Leahy summarized that this is a **feasible** application. The HPC suggested simplifying some of the details for consistency with some of the modern components.

With there being no further business, Ms. Zeno moved to adjourn the meeting at 10:34pm. Mr. Kabriel seconded the motion. The motion passed unanimously in a vote of 6-0.

The next meeting is scheduled for September 9, 2014 at 7:30pm at the City Council Chambers.